

May 20, 2022

**VIA ECF**

The Honorable Lorna G. Schofield  
The Honorable Sarah L. Cave  
United States District Court for the Southern District of New York  
40 Foley Square  
New York, NY 10007

*Catherine McKoy, et al. v. Trump Corp., et al.*, 1:18-cv-9936 (LGS)

Dear Judges Schofield and Cave:

The parties write to update the Court on the status of the above-referenced action since the parties last filed a periodic joint status update letter on April 22, 2022 (Doc. No. 405). As an initial matter, we recognize that this letter may be somewhat duplicative or unnecessary, given the Court's referral of this matter to Judge Cave, the parties' appearance at the May 18, 2022 discovery conference, and Judge Cave's direction to file a joint letter on June 3, 2022. Nevertheless, the parties submit this letter, in light of the requirements of the Court's January 18, 2022 Fifth Amended Case Management Plan (Doc. No. 357). The parties respectfully request the Court's guidance as to whether we should continue to submit additional such status letters in view of Judge Cave's active management of the discovery process.

**Party discovery.** On May 18, 2022, the Court held a conference addressing Plaintiffs' pre-motion letters concerning certain categories of documents that Defendants have objected to searching for or producing and Plaintiffs' renewed request for leave to take up to 25 factual depositions. The parties are meeting and conferring in accordance with the Court's post-conference order. (*See* Doc No. 424.)

In addition, as the parties noted at the conference, Plaintiffs have deposed two non-party witnesses and Defendants have deposed two of the plaintiffs. The parties are meeting and conferring about additional dates.

**Plaintiffs' nonparty discovery efforts.** Plaintiffs provide the following update on their ongoing correspondence and meet-and-confers with nonparties to resolve outstanding discovery issues. (*See* Doc. Nos. 232, 260, 265, 273, 396.) Defendants state that they generally have no knowledge as to the update because Plaintiffs have conducted such nonparty correspondence and meet-and-confers without Defendants' involvement.

*First*, on May 8, 2022, the Court held a conference resolving certain disputes concerning discovery sought by Plaintiffs from ACN. (*See* Doc. No. 415.) Plaintiffs and ACN are meeting and conferring both to carry out the resolution of certain document discovery issues and in connection with the Rule 30(b)(6) deposition notice that Plaintiffs served on April 28, 2022 and to which ACN served objections on May 17, 2022.

*Second*, on May 12, 2022, nonparties Metro-Goldwyn-Mayer Studios Inc. and JMBP, LLC (together, the "MGM Entities") completed their production of media assets designated by Plaintiffs during their on-site review of unaired footage from two episodes of *The Celebrity Apprentice*, and Plaintiffs have produced those media assets to Defendants promptly upon processing them.

The parties are scheduled to submit their next joint status letter on June 17, 2022, unless the Court directs otherwise.

Respectfully submitted,

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